a) culturing a steril explant of said phytopharmaceutical plant on an induction medium comprising one or more plant growth regulators having cytokinin activity, to form regenerated tissue; and

b) transferring said regenerated tissue to a basal medium and culturing to form plantlets.

REMARKS

The above preliminary amendment is made to make minor editorial corrections and to remove multiple dependencies from claims 5, 7, 11, 12, 19, 26, 33 and 47.

A new abstract page is supplied to conform to that appearing on the publication page of the WIPO application, but the new Abstract is typed on a separate page as required by U.S. practice.

Applicants respectfully request that the preliminary amendment described herein be entered into the record prior to calculation of the filing fee and prior to examination and consideration of the above-identified application.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' primary attorney-of record, Gregory A. Sebald (Reg. No. 33,280), at (612) 336.4728.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Dated: September 25, 2001

By _____
Gregory A. Sebald
Reg. No. 33,280

GAS/tvm

MARKED-UP COPY

5. (Amended) The method [of any one of claims 1 to 4] according to claim 1, wherein said phytopharmaceutical plant is selected from the group consisting of:

Achillea millefolium

Achyranthes bidentata

Aconitum napellus

Adonis aestivalis

Agastache mexicana

Agrimonia eupatoria

Agathosma betulina

Allium sp

Anchusa officinalis

Anemopsis californica

Angelica dahurica

Angelica polymorpha sinensis (A. sinensis)

Arnica Montana

Ammi visnaga

Arctostaphylos uva-ursi

Asclepias tuberosa

Astragalus membranaceus

Astragalus chinensis

Baphicacanthus cusia

Bixa orellana

Bupleurum falcatum

Brugmansia (Datura) spp.

Campanula rapunculus

Carum roxburgianum

Carum copticum

Cassia tora

Chamaelirium luteum

Chimaphila umbellata

Commiphora africana

Conium maculatum

Crithium maritimum

Datura metel (Datura alba)

Datura inoxia

Dracocephalum moldavica

Echinacea sp.

Eclipta alba (E. prostrata)

Ephedra nevadensis

Eriodictyon californicum

Eucommia ulmoides

Eupatorium perfoliatum

Filipendula vulgaris (F. hexapetala)

Gaultheria procumbens

Geum urbanum

Houttuynia cordata

Hydrocotyle asiatica (Centella asiatica)

Hypericum perforatum cv. Anthos

Inula helenium

Jatropha curcas

Leptospermum scoparium

Lespedeza capitata

Ligusticum porteri

Ligustrum lucidum

Lithospermum officinale

Lycium barbarum

Mucuna pruriens

Mandragora officinarum

Origanum dictamnus

Parietaria judaica (P. officinalis)

Phyllanthus emblica

Picrasma excelsa

Piniella ternate

Pogostemon patchouli

Polygonum multiflorum

Porophyllum ruderale ssp. macrocephalum

Prunella vulgaris

Pueraria lobata (P. thunbergiana)

Rauvolfia serpentina

Rivea corymbosa

Sanguinaria Canadensis

Satureja douglasii

Schizonepeta tenuifolia

Scutellaria baicalensis

Solanum xanthocarpum (S. surattense)

Sutherlandia frustescens

Tabebuia impetiginosa

Tribulus terrestris

Trichosanthes kirilowii

Turnera diffusa

Voacanga africana, and

Withania somnifera

7. (Amended) The method according to [any one of claims 1 to 6] claim 1, wherein said at one plant growth regulator having cytokinin activity is selected from the group consisting of thidiazuron (TDZ, *N*-phenyl-*N'*-(1,2,3-thidiazol-yl)urea), benzylaminopurine (BAP), zeatin, CPPU (N-(2-chloro-4pyridyl)-N(-phenyl urea) and 2-*I*-P (N6-(2-isopentenyl) adenine or 6-gamma, gamma-dimethylallylamino purine).

11. (Amended) The method according to [any one of claims 1 to 10] claim 1, wherein said explant is selected from the seed, petiole, hypocotyl, stem, cotyledon and leaf.

12. (Amended) The method according to [any one of claims 1 to 10] claim 1, wherein said phytopharmaceutical plant is St. John's wort.

19. (Amended) The method according to [any one of claims 1 to 4] claim 1, wherein the phytopharmaceutical plant is *Echinacea sp.*.

[24] 26. (Amended) The method according to [any one of claims 1 to 4] claim 1, where said phytopharmaceutical plant is Huang qin.

33. (Amended) The method according to [any one of claims 1 to 4] claim 1, wherein the phytopharmaceutical plant is feverfew.

[44] 43. (Amended) The method according to claim 2, wherein, in said transferring step, said regenerated tissue is subcultured for about 1 to about 15 days.

[45] 44. (Amended) A method for phytofortification of an *in vitro*-grown phytopharmaceutical plant comprising:

a) culturing a sterile seedling, explant or regenerated tissues to form a plantlet; and

b) subculturing said plantlet onto a basal medium containing at least one additive of interest, to allow uptake and accumulation of said at least one additive of interest in a bio-available form in said plantlet.

[46] 45. (Amended) The method according to claim [45] 44, wherein, in said step of culturing, said plantlets are produced either:

a) on a sterile explant of said phytopharmaceutical plant grown on an induction medium comprising at least one plant growth regulator having cytokinin activity, or

b) grown from a sterile seed, or

c) seedling in culture.

[47] 46. (Amended) The method according to claim [46] 45, wherein said at one plant growth regulator having cytokinin activity is selected from the group consisting of thidiazuron (TDZ, *N*-phenyl-*N'*-(1,2,3-thidiazol-yl)urea), benzylaminopurine (BAP), zeatin, CPPU (N-(2-chloro-4pyridyl)-N(-phenyl urea) and 2-*I*-P (N6-(2-isopentenyl) adenine or 6-gamma, gamma-dimethylallylamino purine).

[48] 47. (Amended) A phytopharmaceutical plant prepared by the method of [any one claims 1 to 4, or 45 to 47] claim 1 and comprising an elevated level of said additive of interest when compared to a plant grown in the absence of said additive of interest.

[49] 48. (Amended) A method for the *in vitro* micropropagation involving *de novo* shoot formation of non-meristematic tissue of a phytopharmaceutical plant comprising:

a) culturing a steril explant of said phytopharmaceutical plant on an induction medium comprising one or more plant growth regulators having cytokinin activity, to form regenerated tissue; and

b) transferring said regenerated tissue to a basal medium and culturing to form plantlets.